IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2153 of 2005

In

Second Appeal No.622 of 1994

1. Shri Bhimrao Nivrutti Jagdale
and Ors. ... Applicants

V/s

1. Shri Ambadas Tulshiram Jagdale
and Ors. ..Respondents

Shri R.V.More for Applicants
Shri Vikas Shivarkar i/b R.S.Kale for Respondent

CORAM:S.R.SATHE,J.

DATED:23rd Dec. 2005

P.C.:-

. Heard both sides.

. While confirming the decree for eviction 2 months was already granted to hand over the possession. The learned Advocate for the applicant seeks further extension for handing over possession by submitting that the applicant desire to challenge the order passed by this Court in the Supreme Court. The

learned Advocate could not point out any legal provisions under which such extension can be granted by this Court. Hence application shall have to be rejected.

. Though the applicant has mentioned in the application that if extension is not granted the Respondent will take possession forcefully from the applicant. We cannot ignore the fact that for surrendering the possession it would be necessary for the Respondent original plaintiff to file execution proceedings. As it is both the learned Advocates are not aware whether execution proceedings have been filed or not, hence application is rejected.

(S.R.SATHE,J.)